

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ZURICH AMERICAN INSURANCE  
COMPANY,

Plaintiff,

v.

COLONY INSURANCE COMPANY,

Defendant.

Case No: 1:22-CV-10352-ER

**~~[PROPOSED]~~ ORDER COMPELLING  
NON-PARTY SYNERGY CONSTRUCTION  
GROUP, INC. TO COMPLY WITH ZURICH  
AMERICAN INSURANCE COMPANY'S  
SUBPOENAS**

Ramos, D.J.:

On March 11, 2024, This Court granted the Plaintiff, Zurich American Insurance Company's ("Zurich's") motion to compel the non-party Synergy Construction Group, Inc. ("Synergy") to comply with Zurich's (i) Subpoena to Produce Documents, Information, or Objects ("Subpoena to Produce Documents") and (ii) Subpoena to Testify at a Deposition in a Civil Trial ("Subpoena to Testify"), but denied Zurich's motion, without prejudice, insofar as it sought sanctions. Doc. 27. Accordingly, pursuant to This Court's March 11, 2024, order,

**IT IS HEARBY ORDERED** that:

1. Within ten (10) days of the Court's signing of this Order, Synergy is ordered to respond to Zurich's Subpoena to Produce Documents according to and as required by the Federal Rules of Civil Procedure.
2. Within ten (10) days of the Court's signing of this Order, Synergy is ordered to provide Zurich with several dates in April 2024, when it can produce a witness for a deposition pursuant to Zurich's Subpoena to Testify.

3. If Synergy fails to comply with paragraphs 1 or 2 of this Order, Zurich is to file a motion for contempt and/or sanctions against Synergy.

**IT IS SO ORDERED.**

Dated: April 9, 2024

New York, New York



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Edgardo Ramos, U.S.D.J.